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RUEHKA/AMEMBASSY DHAKA PRIORITY 1889
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 8913
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 7151
RUEHLO/AMEMBASSY LONDON PRIORITY 5113
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 3285
RUEHNY/AMEMBASSY OSLO PRIORITY 5069
RUEHOT/AMEMBASSY OTTAWA PRIORITY 1346
RUEHSM/AMEMBASSY STOCKHOLM PRIORITY 0604
RUEHKO/AMEMBASSY TOKYO PRIORITY 4179
RUEHCG/AMCONSUL CHENNAI PRIORITY 9478
RUEHBI/AMCONSUL MUMBAI PRIORITY 6779
RUEHON/AMCONSUL TORONTO PRIORITY 1275
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 3720
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY
RUEHBS/USEU BRUSSELS PRIORITY
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 000872

SIPDIS

DEPARTMENT FOR SCA/INSB

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TAGS: [PGOV](#) [PREL](#) [PREF](#) [PHUM](#) [PTER](#) [EAID](#) [MOPS](#) [CE](#)

SUBJECT: PRESIDENT RAJAPAKSA HOLDS LINE ON RECONCILIATION,
IDP MOVEMENT, AND TISSAINAYAGAM

REF: A. COLOMBO 861

[1](#)B. SECSTATE 92641

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Classified By: CHARGE D'AFFAIRES JAMES R. MOORE. REASONS: 1.4 (B, D)

[1](#)1. (C) SUMMARY: In a lengthy September 8 meeting with Charge, President Rajapaksa said his recent meeting with TNA party leaders had gone well but that implementation of the 13th Amendment to the constitution dealing with the devolution of central power would have to wait until at least April after presidential and parliamentary elections. On freedom of movement for IDPs, the president offered nothing new, arguing that returns were not possible until demining was completed. The president defended the recent conviction of journalist Tissainayagam on terrorism charges as justified and insisted that a pardon was not possible as long as an appeal was on file. END SUMMARY.

POLITICAL RECONCILIATION

[1](#)2. (C) President Rajapaksa requested the meeting with Charge to say farewell at the end of Charge's three-year tour. The president's brother, Defense Secretary Gotabaya Rajapaksa, joined the meeting in progress. Charge began by commending the president on his September 7 meeting with the Tamil National Alliance (TNA) representatives (ref A and septel) and asked about the progress of national reconciliation. The president said the meeting with the TNA had lasted nearly three hours and had gone well. Much of the discussion had focused on the question of IDP returns and demining (for more on the president's views on IDPs and demining, see para 4 below).

[1](#)3. (C) On the broader question of political reconciliation, the president said he viewed the matter in terms of the implementation of the 13th Amendment "plus one," the latter

connoting the creation of a senate that would have power to veto the decisions of provincial councils, though it could be overridden by a two-thirds provincial vote. But even with the implementation of the 13th Amendment, the president said, there could be no federal system in Sri Lanka where "federalism is a dirty word." As for the timing of the amendment's implementation, it would have to wait until after presidential and parliamentary elections, which would mean not until next April. The president said he was receiving conflicting advice on whether to hold presidential or parliamentary elections first and had not made a decision. On the All-Party Representative Committee (APRC), the inter-party body that recently sent to the president still-undisclosed recommendations on devolution of executive power and implementation of the 13th Amendment, the president said he was studying the report but commented that the APRC was trying "to change the whole constitution" through the report, which was not possible.

IDP FREEDOM OF MOVEMENT AND DEMINING

¶4. (C) Charge provided the president an overview of ref B points on freedom of movement for IDPs in Sri Lanka, noting the assistance the U.S. had provided for humanitarian relief, demining, and the rehabilitation of combatants. (NOTE: Delivery of the demarche on freedom of movement to Foreign Minister Bogollagama and Senior Presidential Advisor Basil Rajapaksa on September 9 will be reported septel. END NOTE) The president responded that IDP returns were going slowly because of the slow pace of demining. He asserted that government entities were much faster than NGOs in demining and other relief, as the U.S. military demonstrated with its

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relief operations following the tsunami, but the U.S. was refusing to provide demining equipment to the GSL. You must trust the GSL, he argued, you should not "push us," and we must "trust each other." The president claimed he did not wish to keep IDPs in the camps but had a moral obligation to ensure IDP safety by making sure their home areas were free of landmines. When asked why the GSL did not provide IDPs with government maps of landmine locations and let IDPs decide where they would go, he went into a long discussion of the stubbornness of Sri Lankans, the point of which appeared to be that the IDPs would insist on returning to their home villages even if the mines were not cleared.

¶5. (C) The president's brother also asserted that the government had tried releasing various categories of IDPs, but that had not worked. For example, pregnant women allegedly did not wish to leave their families in the camps, while host families outside the camps refused to take in elderly IDPs. "We have tried everything," the brothers claimed, "but in the end, the government will have to look after them so they are better off in the camps."

TISSAINAYAGAM

¶6. (C) The president said the judgment against the journalist Tissainayagam, convicted last week on terrorism charges and sentenced to 20 years hard labor, was a court matter and it was not his place to be involved. A pardon was not possible now because the appeals process had to be exhausted first. (NOTE: Embassy understands from Tissainayagam's lawyer and other sources that this is only technically true: the president cannot issue a pardon while an appeal is on file, but the defense could withdraw its appeal at any time if the president signaled readiness to grant a pardon. END NOTE.) The president also said the defense had let Tissainayagam down by not pleading with the judge to specify that the sentences on the three charges (five, five, and ten years) could be served concurrently rather than simultaneously. Such pleading was standard practice in a criminal trial and Tissainayagam's defense must have been flustered and had

forgotten.

¶17. (C) Gotabaya also argued that the evidence against Tissainayagam was overwhelming. He said the journalist had raised money for the LTTE, written articles on behalf of the terrorists, and had even harbored suicide bombers. (NOTE: We have seen no evidence to back up any of these charges. END NOTE.) Gotabaya and the president went on to criticize other journalists who were allegedly terrorists or criminals masquerading as journalists. They cited the recent case of three JVP-connected journalists who claimed to have been investigating government corruption in home improvements for a presidential relative but who were actually "criminals" who would be charged for trespassing (not for terrorism, as reported in the press).

UNGA

¶18. (C) The president offered two reasons why he would not attend the upcoming UN General Assembly: first, he had attended for the last few years and the prime minister wanted a turn; second, elections were approaching and the president needed to remain in the country for the campaign. When Charge noted that the president enjoyed a wide majority in polls in the south (where local elections are scheduled for October), the president said that when he was away, even his own people begin fighting amongst themselves. Thus, he had to stay away from the UNGA to ensure intra-party peace before

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provincial elections.

COMMENT

¶19. (C) This was a classic performance for President Rajapaksa. He provided few direct answers to our questions and obscured more than he revealed. He offered nothing new in terms of political reconciliation beyond the recent meeting with the TNA and was unyielding on the questions of freedom of movement for IDPs or leniency for jailed journalist Tissainayagam. It is always difficult, however, to know how much of this is bluster and how much of our message may be getting through.

MOORE